

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JERRY BIESER,)
Plaintiff,) No. 4:12-CV-386-JAR
v.)
J.E. PHILLIPS & SONS, INC.,)
Defendant.)

MEMORANDUM AND ORDER

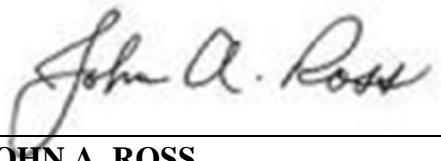
Following a telephone conference with the parties on April 17, 2013, the Court hereby denies the Joint Motion of Plaintiff and Defendant to Amend Scheduling Order [ECF No. 23] as moot and grants the Plaintiff's Motion for Leave to Disclose Expert Witness Outside the Scheduling Order. [ECF No. 18]

Accordingly,

IT IS HEREBY ORDERED that the Joint Motion of Plaintiff and Defendant to Amend Scheduling Order [23] is **DENIED** as moot. The parties shall resubmit a joint motion to amend the case management order with a new trial date within five (5) days of the date of this order.

IT IS FURTHER ORDERED that Plaintiff's Motion for Leave to Disclose Expert Witness Outside the Scheduling Order [18] is **GRANTED**.

Dated this 17th day of April, 2013.



JOHN A. ROSS

UNITED STATES DISTRICT JUDGE